

IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

JEROME DUPREE JR.,

Plaintiff,

v.

CRAZY RHINO TRUCKING, LLC and
TYLER BONHAM,

Defendant.

Docket No. CT-2986-22
Division No. VI
Jury Demanded

COMPLAINT

Plaintiff Jerome Dupree Jr. ("Plaintiff"), by and through counsel, files this Complaint against Defendant Tyler Bonham ("Defendant") for personal injuries and damages, as follows:

PARTIES

1. Plaintiff is an adult resident of Memphis, Shelby County, Tennessee, residing at 2260 Meadow Glade Lane, Memphis, Tennessee 38134.

2. Defendant Crazy Rhino Trucking, LLC is a foreign corporation doing business within the State of Tennessee and service can be had upon its registered agent, Tyler Bonham d/b/a Crazy Rhino Trucking, LLC located at 992 S. RD Ste 2, Larned Kansas 67550.

3. Defendant Tyler Bonham is an adult resident Rozel, Kansas residing at 200 East Elmore Avenue Rozel, Kansas 67574.

4. On information and belief, Defendant Tyler Bonham was the driver of the tractor semi-trailer involved in this collision, was an employee and/or agent of Crazy Rhino Trucking at

all times relevant to this action, was the owner of the tractor semi-trailer involved in this collision (VIN: 1FUJA6CK17DX14233 PLATE: 207339).

5. On information and belief, Defendant Crazy Rhino Trucking, is, a domestic corporation with its principal office located at 992 South Road Suite 2 Larned, Kansas 67550 with a registered agent for service of process at Crazy Rhino Trucking.

6. Defendant John Doe is the unknown operator of a motored vehicle. The identity of the driver is unknown to the plaintiffs despite the plaintiff's best effort to identify the driver.

JURISDICTION AND VENUE

7. This cause of action arises in tort out of personal injuries and damages incurred from a motor vehicle collision that occurred on May 18, 2022, in Crockett County, Tennessee.

8. Venue is properly situated in Shelby County pursuant to TENN. CODE ANN. § 20-4-101(a) because the facts underlying the cause of action occurred in Shelby County.

9. This Court has *in personam* jurisdiction over Defendants because the acts and omissions giving rise to this action occurred in whole or in part in the State of Tennessee against a resident of Tennessee.

10. As a court of general jurisdiction, this Court has subject matter jurisdiction pursuant to TENN. CODE ANN. § 16-10-101.

STATEMENT OF FACTS

11. Plaintiff incorporates by reference all allegations contained elsewhere in this Complaint.

12. At all times pertinent hereto, including May 18, 2022, Defendant Bonham was the operator of the 2007 FREIGHTLINER SEMI TRUCK (VIN: 1FUJA6CK17DX14233), which was involved in the accident with Plaintiff on May 18, 2022.

13. At all times pertinent hereto, including May 18, 2022, Plaintiff was the operator of the 2007 CHEVY SILVERADO (VIN: 2GCEK13M571666256) and, at all times, was operating said vehicle in a safe, cautious, and prudent manner, obeying all of the rules and regulations of the roadway.

14. On May 18, 2022 at 9:10 a.m. Plaintiff, operating the vehicle in a safe and reasonable manner, was traveling Eastbound on US Highway 412 in Crockett County, Tennessee.

15. At the same time, Defendant Bonham was traveling Eastbound on US Highway 412, not paying attention and exercising due care, collided with Plaintiff's vehicle on the rear side on US Highway 412.

16. At all relevant times, the Defendant Bonham vehicle was an employee of Crazy Rhino Trucking.

17. At all relevant times, the Plaintiff operated the vehicle in a safe, cautious, and prudent manner, obeying all applicable rules and regulations of the roadway.

18. As a direct and proximate result of Defendant's actions, Plaintiff sustained substantial physical injuries and property damage described below.

CAUSES OF ACTION

Count I – Negligence

19. Plaintiff incorporates by reference all allegations contained elsewhere in this Complaint.

20. At all relevant times, Defendant owed a duty to Plaintiff, as a fellow driver, to operate the vehicle prudently, safely, and within the bounds of the law, including a duty to exercise reasonable care.

21. Defendant breached that duty when she collided with Plaintiff's vehicle.
22. Defendant's collision with the Plaintiff constituted a failure to use the degree of care and caution required of a reasonable and prudent person under the same or similar circumstances.
23. As a direct and proximate result of Defendant's breach of duty, Plaintiff suffered property damage and physical injuries.

Count II – Negligence *PER SE*

24. In addition to the aforementioned acts of common law negligence described above, Plaintiff asserts that Defendant Bonham is guilty of violating the following statutes of Tennessee, which were in full force and effect at the time and place of the motor vehicle collision, which constitute negligence as a matter of law:

- a. T.C.A. § 55-8-136. Drivers to exercise due care;
- b. T.C.A. § 55-10-205. Reckless driving;
- c. T.C.A. § 55-8-103. Required obedience to traffic laws;

Count III – Negligent Entrustment, Joint Enterprise

25. Defendant Crazy Rhino Trucking, LLC negligently entrusted the use of their vehicle to Defendant Bonham. That Crazy Rhino Trucking, LLC knew, or in the exercise of due diligence, should have known of Defendant Bonham's propensity and proclivity to drive in an illegal, unlawful, negligent and/or reckless manner; that therefore, Defendants Crazy Rhino Trucking, LLC and Bonham are joint and severally liable to Plaintiff for all damages proximately caused by the above described acts of negligence and negligence *per se*.

26. Defendant Bonham was driving the automobile owned by Defendant Crazy Rhino Trucking, LLC with the express permission and approval of Crazy Rhino Trucking, LLC, for the purpose of furthering a business interest, thus the doctrines of joint enterprise, vicarious liability and permissive use are hereby pled.

INJURIES AND DAMAGES

27. Plaintiff incorporates by reference all prior allegations contained elsewhere in this Complaint.

28. As a direct and proximate result of Defendants' above-described breach of duty and violations of the common law, Plaintiff sustained injuries and damages, including but not limited to:

- (a) serious and painful physical injuries;
- (b) past, present, and future physical and emotional pain and suffering;
- (c) past, present, and future mental anguish and emotional distress;
- (d) past, present, and future reasonable and necessary medical expenses;
- (e) certain other reasonable and necessary healthcare expenses, prescription expenses, certain transportation expenses to and from healthcare providers, and other out-of-pocket expenses, the nature and amount of which is yet to be determined;
- (f) past, present, and future loss of quality and enjoyment of the normal pleasures of life;
- (g) property damage;
- (h) inconvenience;
- (i) past, present, and future lost wages;
- (j) loss of future earning capacity; and
- (k) other damages to be proven at trial.

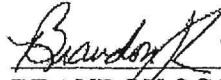
PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully sue Defendants, damages in an amount to be determined at trial, not to exceed \$1,000,000.00 including property damage, medical expenses, and pain and suffering as a result of Defendant's actions.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray for damages as they may appear on the trial of this cause, reserving the right to amend this pleading to conform to the facts as they may develop, for cost and interest, Pre-judgment and Post-judgment interest, and for all other general relief justified by the facts under the law or equity. Plaintiffs respectfully pray for damages as they may appear on the trial of this cause, reserving the right to amend this pleading to conform to the facts as they may develop.

Respectfully submitted,

REAVES LAW FIRM, PLLC


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